



IFW 9752

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/091,373
Filing Date	March 4, 2002
First Named Inventor	Hiroshi ITO et al.
Art Unit	1752
Examiner Name	Amanda C. WALKE
Attorney Docket Number	ARC920010125US1

Mail Stop

Amendment

ENCLOSURES (Check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> No fee due
<input type="checkbox"/> Fee Transmittal
<input type="checkbox"/> Fee(s) due: \$ _____
<input type="checkbox"/> Check enclosed
<input type="checkbox"/> Charge Deposit Account No. 18-0580
<input type="checkbox"/> 37 CFR§ § 1.16
<input type="checkbox"/> 37 CFR§ § 1.17
<input checked="" type="checkbox"/> Charge any underpayment or credit any overpayment to Deposit Account No. 18-0580
<input checked="" type="checkbox"/> Return postcard
<input checked="" type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s) - _____ Affidavits/declaration(s)
<input type="checkbox"/> ___-Month Extension of Time | <input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Information Disclosure Statement & PTO-1449 Form(s)
<input type="checkbox"/> Cited reference copy(ies)
<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Declaration(s) by Inventor(s)
<input type="checkbox"/> Preliminary Amendment
<input type="checkbox"/> Updated Application Data Sheet
<input type="checkbox"/> Drawing(s) - ___ Sheets
<input type="checkbox"/> Compact Disk(s) - ___ CD(s)
<input type="checkbox"/> Petition
<input type="checkbox"/> Power of Attorney & Address Indication Form | <input type="checkbox"/> Revocation of & New Power of Attorney, Address Indication Form
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Other Enclosure(s) (see remarks): |
|--|---|--|

REMARKS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name (print/type)	Isaac M. Rutenberg, Reg. No. 57,419 Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.	Telephone	(650) 251-7700
Signature		Date	August 1, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (print/type)	Joe Clark		
Signature		Date	August 1, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Hiroshi ITO

Examiner: Amanda C. WALKE

Serial No.: 10/091,373

Group Art Unit: 1752

Filing Date: March 4, 2002

Confirmation No: 7246

Title: COPOLYMER FOR USE IN
CHEMICAL AMPLIFICATION
RESISTS

RESPONSE UNDER 37 C.F.R 1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed from the PTO on May 1, 2006. Applicant hereby requests reconsideration and withdrawal of the rejections set forth in the Action. As support for this request, applicant also hereby requests that the Examiner consider and enter into the record the following arguments.

In the Action under reply, claims 1-31 were examined. Applicant acknowledges with appreciation the Examiner's withdrawal of the rejections under 35 U.S.C. §103(a) set forth in the previous Office Action. Claims 1-31 now stand rejected under 35 U.S.C. §103(a) as unpatentable over Araki et al (USPN 6,908,724, hereinafter "Araki"). Applicant traverses this rejection.

In the first place, Araki is not available as prior art under 35 U.S.C. §102, and therefore may not be relied upon to base a rejection under 35 U.S.C §103(a). Araki is a continuation-in-part of the PCT application PCT/JP01/02897, which has a filing date of April 3, 2001. However, PCT/JP01/02897 was published in Japanese; consequently, according to MPEP §706.02(f)(1),